

REMARKS

5

I. Status

In the Office Action mailed on November 2, 2005, the Examiner noted that claims 33-45 and 53-63 were pending, withdrew from consideration claims 1-32 and 46-52 and rejected claims 33-45 and 53-63. Claims 33 and 53 have been amended. Thus, in view of the foregoing, claims 33-45 and 53-63 remain pending for reconsideration, which is requested. No new matter has been added. The applicant respectfully traverses the rejection.

II. Rejection of claims under 35 U.S.C. § 112

Claims 33-45 and 53-63 stand rejected under 35 U.S.C. 112, as failing to comply with the written description requirement. It is alleged that no support is found in the specification for the claimed subject matter "using camera to capture at least one image, and using said camera to capture information associated with said image, wherein said information is in a database".

The applicants respectfully traverse this rejection. Support is provided in the specification for this claimed subject matter, as follows:

"In step 103, meta-data (if the photograph was taken by a camera capable of producing meta-data) is associated with the provided photograph. Meta-data refers to data that is automatically produced when a photograph is taken. For example, meta-data would include the GPS coordinates if the photograph was taken by a GPS receiver-enabled digital camera. Also, many digital cameras associate time and data information with each photograph. Time and data meta-data may be associated with the photograph for retrieval purposes. Other meta-data may be associated with the photograph such as a voice annotation. The meta-data may identify the type of camera utilized. For example, the meta-data may identify the model number of the digital camera. The preceding examples are merely exemplary. Any type of auto-generated meta-data may be associated with the photograph depending upon the capability of a given camera".

page 7, lines 6-16

40

Since the claims subject matter is supported by the specification, the applicants respectfully request removal of the rejection.

III. Rejection of claims under 35 U.S.C. § 103

Claims 33-39, 40-45, 53-55, and 60-63 are rejected under 35 U.S.C. §103(a) as being unpatentable over Slater et al. (U.S. Patent No. 6,483,570) In view of Parulski et al. (U.S. Patent No. 6,629,104). The applicants
5 respectfully traverse the rejections.

In the present invention, a camera captures information automatically associated with an image ("using said camera to capture information associated with said image", claim 33, line 3; "automatically producing meta-data associated with said image, claim 53, line 4) , stores the information in
10 a database ("wherein said information is stored in a database", claim 33, lines 3-4; "providing the meta-data into a database", claim 53, line 4), and uses the information to print a label to affix to a storage device holding printed copies of the images ("using said information to generate a label having an identifier, wherein said label is adopted to be affixed to a storage
15 device that is adapted to hold printed copies of the plurality of images", claim 33, lines 5-7; "generating a label that is adapted to be affixed to a storage device adapted to hold a printed copy of said image, wherein said label has an identifier generated from said identifying information", lines 5-7, claim 53)

Neither of the cited references Slater et al. or Parulski et al. show all
20 the above elements of the recited claims, nor a non obvious combination of the elements.

Slater et al. discloses a method for a photo developer to capture content information of photographs they are developing and use this information to provide the photographer information on products or services
25 they may be interested in based on the content of the photograph.

Parulski et al. discloses a technique for categorizing images in a database so they can later be retrieved by keywords having meaning to the user. To accomplish the categorizing, a database of labels is constructed prior to image capture. Figure 1 on Parulski et al. shows a program taking
30 images already on a CD, a user adding words to associated with each image, and the user retrieving the images based on these words.

Neither Slater et al. nor Parulski et al. disclose the automatic capture of information via a camera or printing labels to affix to a storage device for storing images. Slater et al. processes already stored pictures on

a CD. Parulski et al. develops pictures received from customers. Neither reference is concerned with automatically capturing information about an image from a camera. Furthermore, neither reference discloses printing labels to affix to a storage device for storing images. Parulski et al. is only
5 concerned with generating search words for a database search. Slater et al. is only concerned with generating a customer certificate describing a customer's preferences for services. Thus, the sections of these two references cited in the current Office Action do not disclose the elements of the present invention as shown above. For example, the Office Action cites
10 to Slater et al. and Parulski et al. for allegedly disclosing generating a label to affix to a storage device to hold printed copies. However, the cited sections do not show this. Slater, in column 6, lines 1-8 refers to assigning a label to a photograph based on its content. For example, if the photograph is of a wedding, then one would generate the label "wedding" to assign to
15 this photograph in a database. There is no generating of a label (a physical label) to affix to a storage device. Parulski et al., column 3, lines 14-26 merely shows an operator building a database by associating words with an image. Parulski et al. does not show generating of a label (a physical label) to affix to a storage device. Figure 7 of Slater et al. and section 10, line 66 -
20 section 11, line 10 discloses a customer image order envelope and does not disclose a camera automatically generating information or generating a physical label having an identifier, wherein the label is adapted to be affixed to a storage. Slater, column 7, lines 60-65 discloses putting a label on a film cassette but does not disclose the present invention of using a camera to
25 "capture information" and using this information to automatically "generate a label having an identifier". Claims 33 and 53 have been amended to emphasize this distinction.

Claim 39 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Slater et al. (US Patent 6,483,570) in view of Parulski et
30 al. (US Patent No. 6,629,104) and further in view of Reed (US Patent No. 6,426,801).

The Office Action cites Reed for disclosing a digital camera for formatting at least a portion of a plurality of images. The application respectfully traverses the rejection. Reed discloses a printer apparatus

which is adopted to print an image captured by a digital device, such as a digital camera or scanner. However, Reed does not use "said camera to capture information associated with said image, wherein said information is stored in a database" (claim 33, lines 3-4). Thus, Reed in combination with
5 Slater et al. and Parulski et al. does not disclose the present invention recited in claim 39.

Claims 56-58 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Slater et al. (US Patent 6,483,570) in view of Parulski et al. (US Patent 6,629,104) and further in view of Kinjo (US Patent No.
10 6,813,395). The Office Action cites Kinjo for disclosing a camera incorporating GPS. However, Kinjo does not use "[using] said camera to capture information associated with said image, wherein said information is stored in a database" (claim 33, lines 3-4). The Office Action further cites
15 Kinjo for allegedly disclosing searching for the image in a database by submitting a query to the database, wherein the query includes criteria associated with at least one of the meta-data and the user data. However Kinjo does not disclose how such a system could be combined with Slater et al. and Parulski et al. to generate "a physical label that is adopted to be affixed to a storage device" (claim 53, line 6). Thus, Kinjo in combination
20 with Slater et al. and Parulski et al. does not disclose the present invention recited in claims 56-58.

IV. Dependent Claims

The dependent claims depend from the above-discussed independent
25 claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite features not taught or suggested by the prior art. For example, claim 56 discloses "meta-data" including "global position system (GPS) coordinates acquired at a time when the image is produced". Nothing in the prior art teaches or suggests such a feature. The
30 other dependent claims also recite additional distinguishing features. It is submitted that the dependent claims are independently patentable over the prior art.


V. Conclusion

Claims 33-45 and 53-63 are believed to be in condition for allowance. Applicants respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate
5 issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully submitted,

10

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
15 P.O. Box 272400
Fort Collins, CO 80527-2400


Richard Stokey, Reg. No. 40,983
HEWLETT-PACKARD
(281) 518-3184 (Phone)
(281) 514-8332 (Fax)
ATTORNEY FOR APPLICANT

Date: December 19, 2005

20

CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 19th day of December, 2005.

25

By 
Name: Carrie McKerley